

<sup>1</sup> DJR has advised the court that it will not pursue an award of fees or costs.

Accordingly,

**IT IS ORDERED:**

1. CGS Tires US, Inc.'s and DJR Holding Corporation's joint motions to strike (filings [45](#) & [54](#)) are denied, in part. The court will consider an award of attorneys' fees and costs to CGS Tires. If CGS Tires desires to pursue such an award, it shall file an application for fees, together with an affidavit attesting to the time and expenses incurred in preparing its motion to strike, on or before May, 23, 2012. Plaintiff shall serve and file a response, if any, to CGS Tires' application on or before May 31, 2012, at which time the issue of costs will be deemed submitted and a written order entered.
2. Plaintiff's Motion to Allow Plaintiff to Disclose Expert Witnesses by May 14, 2012 ([filing 56](#)) is granted.

**DATED May 16, 2012.**

**BY THE COURT:**

**S/ F.A. Gossett  
United States Magistrate Judge**